



02/01

U.S. PTO  
Practitioner's Docket No. 2096.01C

01-25-01

A

PATENT

Preliminary Classification:  
Proposed Class:  
Subclass:

JCS29 U.S. PTO  
09/768969  
01/24/01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

## NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Dave W. Gordon

For (title): THERMAL FOOT COVER

**1. Type of Application**

This transmittal is for a continuation application.

**2. Benefit of Prior U.S. Application (35 U.S.C. Sections 119(e), 120, or 121)**

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10\***  
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Express Mail certification is optional.)

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## 37 C.F.R. Section 1.10\*

## 37 C.F.R. Section 1.8(a)

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## TRANSMISSION

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Date: 1/24/01

Marcia A. Snow

Signature

MARCIA A. SNOW  
(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).  
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATION CLAIMED.

**3. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design)  
Application

31 Page(s) of Specification

13 Page(s) of Claims

6 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

3 Page(s) of declaration and power of attorney

1 Page(s) of abstract

**4. Additional Papers Enclosed**

Amendment to claims

Cancel in this applications claims 17-31 before calculating the filing fee.

Preliminary Amendment

**5. Declaration or Oath**

Enclosed

Executed by:

\* inventor.

**6. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**7. Language**

English

**8. Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$710.00
Total Claims (37 CFR 1.16(c))	16	- 20 =	0 x	\$18.00	\$0.00
Independent Claims (37 CFR 1.16(b))	2	- 3 =	0 x	\$80.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$270.00	\$0.00
Amendment cancelling extra claims is enclosed. Filing Fee Calculation					\$710.00

**9. Small Entity Statement(s)**

Status as small entity was claimed in prior application 09/235267, filed on January 22, 1999, from which benefit is being claimed for this application under 35 U.S.C. SECTION 120, and which status as a small entity is still proper and desired.

Filing Fee Calculation (50% of above) \$355.00

**10. Fee Payment Being Made at This Time**

Enclosed  
Filing Fee \$355.00

**Total Fees Enclosed** \$355.00

**11. Method of Payment of Fees**

Check in the amount of \$355.00 is attached.

**12. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 03-1127.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

**13. Instructions as to Overpayment**

Credit Account No. 03-1127.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION CLAIMED**

**14. Relate Back**

Amend the specification by inserting, before the first line, the following sentence:

**A. 35 U.S.C. Sections 120, 121 and 365(c)**

"This application is a continuation of copending application:

Application number 09/235,267 filed on January 22, 1999.

**15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

- a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor in this application is the same.

**16. Small Entity (37 C.F.R. Section 1.28(a))**

Applicant has established small entity status by the filing of a statement in parent application 09/235267 on January 22, 1999.

**17. NOTIFICATION IN PARENT APPLICATION OF THIS FILING**

A notification of the filing of this continuation is being filed in the parent application, from which this application claims priority under 35 U.S.C. Section 120.

Date: 1/24/01



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USA  
918-5848787

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Dave W. Gordon  
 Filed: Herewith  
 FOR: THERMAL FOOT COVER

**Commissioner for Patents and Trademarks**  
 Washington, D.C. 20231

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MARCI A. SNOW  
 TYPED OR PRINTED NAME OF PERSON MAILING

*Marcia A. Snow*  
 SIGNATURE OF PERSON MAILING PAPER OR FEE

## CORRESPONDENCE ADDRESS IN APPLICATION

Please send all correspondence for this application as follows:

810 S. Cincinnati, Suite 405  
 Tulsa, OK 74119

Please direct telephone calls to:

918-584-8787

Date: 1/24/01

*Frank J. Catalano*

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Signature

(type or print name of person certifying)

(Change of Attorney's Address in Application--page 1 of 2)

Date: \_\_\_\_\_